

**Minutes of the Regular Meeting Of The  
New Jersey Maritime Pilot and Docking Commission  
September 15, 2015**

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, September 15, 2015 at One Penn Plaza East, 9<sup>th</sup> Floor, Newark, NJ 07105.

Commissioner Dacey called the meeting to order at 10:13 AM.

Open Public Meeting Statement

Pledge of Allegiance

Roll Call

Commissioner Timothy J. Dacey (present); Commissioner Brian McEwing (via tele-conference); Commissioner Jacob Shisha (absent); Commissioner Charles Wowkanech (present).

Amy Herbold, Esq. from the Governor's Authorities Unit participated in the meeting via teleconference.

Commissioner Dacey asked everyone to take a moment of silence to honor the life of Commissioner Thomas Daly.

Approval of the August 18, 2015 Meeting Minutes

A motion was made by Commissioner Wowkanech and seconded by Commissioner McEwing to approve the minutes of the August 18, 2015 meeting minutes. All voted in favor.

Resolution #15-28 to approve the September 2015 Treasurers  
Report

A motion was made by Commissioner McEwing and seconded by Commissioner Wowkanech to pass Resolution #15-28 to approve the September 2015 Treasurers Report. All voted in favor.

Executive Director Report

- A. Hudson River Update- Since the Commission's last meeting, there have been five transport jobs completed by Captain Leonard Evans. Ms. Stuckey also received an e-mail from Captain Nils Tribus reporting that he completed eighteen

transport jobs since we entered into the MOU with the New York Commission in January 2015. He thanked the Commission for allowing him to continue his work as a transport pilot for the Hudson River.

Captain Scott Ireland submitted a request to Admiral Glang, Director at the NOAA Office of Coast Survey requesting that the soundings be updated and the charts expanded for the Hudson River. The current soundings and charts are taken from surveys that were done in the 1900s. Since the Commission licenses pilots that work in that area either as transport pilots or on long term assignments, Ms. Stuckey thought it appropriate that she send a letter of support on behalf of the Commission. Letters of support were also sent by the New York Commission and the Albany Port District Commission. The Commissioners were given copies of the letters.

- B. Grey Shark Update - Ms. Stuckey provided the Commissioners with a copy of an order issued by the Captain of the Port regarding the Grey Shark. The order highlights the numerous safety concerns and the Coast Guards belief that the vessel maybe unsafe and even poses a threat to the marine environment. Prior to transiting within the Port, the vessel must submit a tug assist plan for approval by VTS for any movement in the Port of New York and New Jersey. This is to be done until the vessels managing company undergoes an external audit. After reviewing the tug assist plan, VTS may deem it necessary for the vessel to have tugs alongside during each transit.
- C. AK-4 Dredging/Goethals Bridge Meeting - On August 20<sup>th</sup>, Ms. Stuckey attended the AK-4 Dredging Meeting in Staten Island. The hydraulic dredge, "The Texas", was brought in to chop the rocks in the Channel. During this process the Channel was to be a no meeting/no passing zone, and the dredgers were move on demand. The dredge arrived around August 25<sup>th</sup> to begin the work. The Channel was divided into three sections beginning at the South End of the Channel. Each section was slated to take a week to complete. Each morning the dredging company sent a burst e-mail with the current location of the dredge as it moved down the channel.

The Commissioners were provided with copies of the Coast Guard's Advisory regarding the project and charts which showed where "The Texas" would be located. Ms. Stuckey

reported that this portion of the project was completed on September 14, 2015. The next step is to bring in a dredge to dig out the chopped rocks.

During that meeting there was a quick update on the Goethals Bridge. The towers are almost half way completed, and are slated to be finished in winter 2016. It is anticipated that they will begin hanging steel lines in April 2016. More information will be provided at the next AK-4 Channel Deepening Meeting.

Ms. Stuckey also reported that there will be a presentation regarding the construction of the Bayonne Bridge at a future Harbor Ops Meeting.

- D. Consultant Search - The Consultant Ad has been circulated with a deadline date of September 18<sup>th</sup>. Ms. Stuckey has received several verbal inquiries and one written submission. She is optimistic that the Commission will have a nice group of candidates to interview.
- E. Meeting with the Captain of the Port - Ms. Stuckey is scheduled to meet with the new Captain of the Port, Michael Day, on September 21<sup>st</sup>. She is currently working on agenda items. She asked if there are any items the Commissioners would like her to discuss to please submit them by e-mail. Ms. Stuckey also plans to invite Captain Day to attend a future Commission Meeting.
- F. Simulator Exercises/San Francisco Pilot Update - The discussion between the Pilots and the New York Shipping Association to fund the simulator exercise for ultra large container vessels are going well. In addition a pilot from San Francisco visited the port and shared his experience with the large vessels. Both Maritime pilots and Docking pilots attended the meeting. The pilot was well received and provided a lot of great information. Ms. Stuckey asked Captain Schoenlank and Captain Flannery to provide more information during their public comments.
- G. Shoaling at Berth 30 - Ms. Stuckey reported there was recently a grounding at Berth 30 due to shoaling. The report is on the agenda for the Commissioners' to consider. Immediately following the incident, the pilots informed the agent that the draft restrictions would be reduced by two feet until new soundings are completed. Once the soundings were done, it was found that there was a 32 feet, 7 inch

shoal at the berth. As a result the Army Corp has agreed to complete the maintenance dredging. The Commissioners were given copies of the Coast Guard Advisory stating that the maintenance dredging will begin around September 15 and last approximately six days. During that time the Channel will remain open, however the dredgers will be "move on demand".

- H. Pension Surcharge Meeting - The Commission will host a pension surcharge meeting on September 22, 2015. Commissioner Shisha will be in attendance.
- I. Harbor Ops - The first Harbor Ops meeting since the summer break will take place on September 16, 2015 at Fort Wadsworth. A copy of the agenda was provided to the Commissioners. Ms. Stuckey will be in attendance.
- J. Sandy Hook Industry Cruise - The Sandy Hook Industry Cruise will take place on Friday, September 18, 2015. Ms. Stuckey encouraged all to attend. She stated it is a great networking opportunity.
- K. Port Industry Day - Port Industry Day will take place on Thursday, October 1, 2015. Ms. Stuckey and Ms. Montilus will attend. A copy of the agenda with the details of the keynote speakers and panel discussions was provided to the Commissioners.
- L. Andre's Schedule - Ms. Stuckey provided the Commission with the following details regarding her schedule for the next couple of weeks. She will travel to Red Bank tonight to attend Commissioner Thomas Daly's wake. Tomorrow she will attend the Harbor Ops Meeting in the morning and then travel to St. James, NY to attend Captain Bob Moore's memorial service. On Friday, Ms. Stuckey will attend the industry cruise. The following week: Monday, she will travel to Staten Island to meet with Captain Day. Tuesday, she will host the Pension Surcharge Meeting at the Commission's Office, and on Thursday she will meet with the Coast Guard's Investigative team. Ms. Stuckey will be accessible via cell phone and e-mail. Ms. Montilus will man the office during that time.

Public Comment(s)

Comment from Captain Richard Schoenlank, President Sandy Hook Pilots Association:

Captain Schoenlank expressed his grief at the news of the loss of Commissioner Thomas Daly. He is very appreciative of him and the role he played in the Commission.

Captain Schoenlank reported the Grey Shark sailed with assist tugs all the way out. It is bound for Haiti. He is unsure if it will return to the port.

The Sandy Hook Channel Wreck is still there. It is an ongoing process to try to get it removed. Currently the Coast Guard is working with the Family around insurance concerns.

Captain Schoenlank reported that the proposal for the simulation exercises was well received. The NYSA's Board Meeting is today, hopefully it will get approved. Individual shipping agents are also willing to support. It has been done before in other ports, so there should not be any issues.

Captain Schoenlank reported that the San Francisco pilot, Captain George Livingston's visit was well received. He provided the pilots with good information and insight on working with the large vessels.

Comment from Mr. Edward Kelly, President Maritime Association:

Mr. Kelly announced that the next Shipping 101 Course is scheduled to begin October 19, 2015. He encouraged all who are interested to register quickly.

Mr. Kelly reported that the Federal Advisory Committee also submitted a letter in support of updating the soundings and expanding the charts on the Hudson River.

The Committee is also looking for a port to use as a test site for a precision navigation project. They are considering the port of New York/New Jersey. Mr. Kelly is traveling to Washington, D.C. to meet with them later this week to discuss the possibility of utilizing New York/New Jersey.

Ms. Stuckey advised the Commission that Ms. Montilus is registered to take the October Shipping 101 Course.

#### Committee Report

##### A. Investigation Committee:

- I. **Hangin Newport** - October 4, 2014. This incident is still under investigation.
- II. **Maersk Chicago** - October 21, 2014. This incident is still under investigation.

- III. **Hyundai Glory** - December 5, 2014. This incident is still under investigation.
- IV. **Stolt Jade** - January 8, 2015. This incident is still under investigation.
- V. **Singapore Express** - February 7, 2015. This incident is still under investigation.
- VI. **La Boheme** - February 25, 2015. This incident is still under investigation.
- VII. **Axel Maersk** - March 28, 2015. This incident is still under investigation.
- VIII. **Jinsei Maru** - June 9, 2015. This incident is still under investigation.
- IX. **Celebrity Summit** - July 7, 2015. This incident is still under investigation.
- X. **M/V Portugal** - July 25, 2015. This incident is still under investigation.
- XI. **Grey Shark** - July 28, 2015. This incident is still under investigation.
- XII. **Lena S** - August 25, 2015. This incident is still under investigation.
- XIII. **Cafer Dede** - September 2, 2015. Investigator Mark Clark provided the Commission with a summary of the incident and his report. Ms. Stuckey recommended that the Commission find no fault on the part of Captain Einhorn and the file closed.  
A motion was made by Commissioner Wowkanech and seconded by Commissioner McEwing to accept the recommendations. All voted in favor.
- XIV. **KMTC Challenge** - September 3, 2015. Investigator Mark Clark provided the Commission with a summary of the incident and his report. Ms. Stuckey recommended that the Commission find no fault on the part of Captain Mattsson and the file closed.  
A motion was made by Commissioner Wowkanech and seconded by Commissioner McEwing to accept the recommendations. All voted in favor.

Commissioner McEwing thanked Captain Clark for all of his hard work.

#### Executive Session

WHEREAS, the Open Public Meetings Act provides that a public body such as The New Jersey Maritime Pilot and Docking Pilot Commission may meet in closed session to discuss legal and personnel matters, and

WHEREAS, the Commission desires to meet in closed session to discuss such matters.

NOW THEREFORE, be it resolved that the Commission shall at this time meet in closed session to discuss such matters the substance of the closed session would be disclosed publicly only if it would not warrant an invasion of privacy or constitute a breach of the attorney client privilege.

A motion was made by Commissioner Shisha and seconded by Commissioner Dacey that the Commission goes into Executive Session.

All voted in favor.

The Commission went into Executive Session at 10:34 AM.

#### Return to Public Session

A motion was made by Commissioner Wowkanech and seconded by Commissioner McEwing that the Commission return to Public Session.

All voted in favor.

The Commission returned to Public Session at 11:21 AM.

#### Resolution #15-29 to Approve the Request to Upgrade Maritime Pilot - Captain James R. Britton

A motion was made by Commissioner Wowkanech and seconded by Commissioner McEwing to approve the Resolution #15-29 to upgrade Captain James R. Britton. All voted in favor.

#### Adjournment

A motion was made by Commissioner Wowkanech and seconded by Commissioner McEwing that the meeting be adjourned. All voted in favor.

The meeting was adjourned at 11:22 AM.